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**MINORITY MEDIA AND  
TELECOMMUNICATIONS COUNCIL**

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December 10, 1999

Hon. William Kennard  
Chairman  
Federal Communications Commission  
445 12th Street S.W.  
Washington, D.C. 20554

Dear Chairman Kennard:

RE: Broadcast and Cable EEO Rules, MM Docket No. 98-204 (ex parte)

In a December 1 letter to you, National Association of Broadcasters President Edward Fritts contended that new EEO recruitment rules for women and minorities are unnecessary because women -- 43% of the workforce -- now manage 16% (192) of the nation's television stations. Mr. Fritts' letter does not disclose the results of the NAB's survey as to minorities in management, and the NAB does not -- nor could it -- attempt to claim that minorities have reached broadcasting's promised land.

Women did not show up in management jobs out of nowhere. They secured these jobs because they made it into the pipeline between 1971 and 1998, when the FCC required broadcasters to give women and minorities fair notice of opportunities for entry. Today's arrival of a few passengers on the freedom train is no reason to blow up the tracks.

After it became evident that none of the four major TV networks' 26 new prime time series this fall had a minority lead character, many television executives acknowledged that much remains to be done to remedy discrimination and its effects. The radio industry's civil rights climate is equally unsettling. For example, this summer, ABC's flagship FM station in its parent company's home market of Los Angeles spent five weeks promoting its morning drive show by distributing "black hoes." Three months ago, a nationally syndicated morning drive team, while live on the air, called an official of a Texas border town and directed a long stream of disgusting racist invective at her. In Washington last fall, a morning drive host played a Lauryn Hill record and remarked "no wonder they drag [Blacks] behind trucks." In Toledo last month, one announcer encouraged the assassination of Reverend Jesse Jackson, and another has been encouraging his listeners to harass the President of the local NAACP. Day after day, racism dominates many of our radio talk shows, reflecting some broadcasters' refusal to hire minorities as talent except on stations with "urban" or Spanish formats.

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Although the FCC stopped collecting EEO data two years ago, four research studies this year demonstrate that since Lutheran Church was decided, broadcast employment of minorities and women has continued at token levels or has dropped sharply, and still appears to reflect widespread discrimination:

- A survey compiled by the Beverly Hills/Hollywood Branch of the NAACP and the Coalition of African American Television Writers reported that out of 839 writers employed on primetime network series, only 69 were minorities.
- Hispanics and Asian Americans make up only two percent of all evening news correspondents for CBS, ABC and NBC, according to an annual study this summer the College of Mass Communication and Media Arts at Southern Illinois University.
- The annual RTNDA/Ball State University study on women and minorities in the nation's newsrooms showed that minorities in TV journalism slid from 21% in 1997 to 19% in 1999, and minorities in radio journalism fell from 16% to 11% during this period.
- A study by the International Women's Media Foundation found that 61% of women journalists believe they still face barriers to advancement that their white and male counterparts do not, with 51% saying they suspect that discrimination in promotion has hampered their professional advancement.

We are certain the the NAB would not view these as positive developments.

Women have been kept out of senior positions in broadcasting for decades by a glass ceiling; for minorities, it has been a concrete ceiling. Discrimination and denial of opportunity continue to keep women and minorities out of broadcast management, sales, professional and engineering positions.

Eliminating recruitment rules would prevent a new generation of women and minorities from entering the pipeline, delaying even further the day when broadcast employment no longer reflects the consequences of discrimination and the old-boy recruiting and hiring network. The FCC should adopt the strongest nondiscrimination and recruitment rules constitutionally possible, apply a zero tolerance standard to enforcement, and conduct the research needed to develop and narrowly tailor even stronger rules. No more critical task faces the FCC today than that of ensuring that all Americans have access to the nation's airwaves.

Sincerely,



David Honig  
Executive Director

cc: Hon. Harold Furchtgott-Roth  
Hon. Susan Ness  
Hon. Michael Powell  
Hon. Gloria Tristani  
Edward Fritts

/dh